

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
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ROBERT T. PUOPOLO,

Plaintiff,

-against-

EQUINOX CAPITAL, INC.,
EQUINOX PARTNERS III, LLC,
and STEVEN C. RODGER,

Defendants.
-----X

Case No.:
08-CV-1311 (LAP)

**JOINT PROPOSED
DISCOVERY PLAN**

The undersigned attorneys for the parties, having conferred pursuant to Fed. R. Civ. P. 26(f) for the purposes of planning for discovery, hereby submit the following proposed joint discovery plan.

Initial Disclosures

The parties will provide each other with the initial disclosures as required by Fed. R. Civ. P. 26(a)(1) on or before Wednesday, April 30, 2008.

Inadvertent Disclosure

Throughout the course of this action, in the event that any party inadvertently discloses documents or information that may be protected by the attorney-client privilege, or any other applicable privilege or doctrine concerning disclosure, then the party making the inadvertent disclosure may recall the documents or information, so long as the recall is made within seven (7) days of actual notice of the inadvertent disclosure.

Amendment of Pleadings

All motions to amend pleadings, including joinder of additional parties, shall be made by no later than Friday, May 30, 2008.

Counsel shall confer and inform the Court by letter of what, if anything, the documents show about contract formation no later than April 30, 2008

Fact Discovery

All fact discovery shall be completed on or before Friday, ~~December 5, 2008~~.

July 31, 2008.
Counsel will not undertake expert discovery without further order of the Court.

Expert Discovery

1. Plaintiff's expert reports, if any, shall be produced on or before Friday, December 5, 2008.
2. Defendants' expert reports, if any, shall be produced on or before Friday, January 16, 2009.
3. All depositions of experts, if any, shall be completed on or before Friday, February 27, 2009.

Dispositive Motions

conference regarding dispositive motions no later than July 31, 2008.
Counsel shall request a pre-motion

All dispositive motions, including motions for summary judgment, shall be made no later than sixty (60) days after the close of expert discovery. In the event that no expert reports are produced and no expert discovery is required, then all dispositive motions, including motions for summary judgment, shall be made no later than sixty (60) days after the close of fact discovery.

In the absence of dispositive motions, the Joint Pre-Med order shall be filed no later than August 15, 2008

Date: March 26, 2008
New York, New York

EISEMAN LEVINE LEHRHAUPT
& KAKOYIANNIS, P.C.

By: _____
Eric P. Heichel (EH 9940)
Jonathan C. Marquet (JM 0317)
805 Third Avenue, 10th Floor
New York, NY 10022
T: 212-752-1000
Attorneys for Plaintiff

So ordered
Loretta A. Presler
March 28, 2008

EDWARDS ANGELL PALMER
& DODGE LLP

By: _____
Ira G. Greenberg
750 Lexington Avenue, 8th Floor
New York, New York 10022
T: 212-308-4411
Attorneys for Defendants